

care. Four years ago, he told us he wanted the Government to take over and run the health care system, and we listened with respect and reverence, and we said "No," and the American people said "No," with an expletive in front of the "no."

Now the President is telling us, 4 years later—he appears before Government employee groups and says, "I haven't changed my mind; I still want the Government to take over and run the health care system, only we have to do it one step at a time." It seems that he believes the next step is to let the Government run the HMOs. How does he think that make the patient better off? Well, it presumably makes the patient better off because when we go into the examining room with the doctor and the gatekeeper, a Federal bureaucrat and a lawyer will now join us. I don't think that is what people want. People want to be alone in the examining room with their doctor.

The Republican plan, which empowers the family to decide, puts only the patient and the doctor in the examining room. It throws out the Government bureaucrat, it throws out the lawyer, it throws out the gatekeeper, and it replaces all of that mechanism of Government bureaucracy with one simple question: "Do you take Mastercard, or do you take Visa, or do you take a check?" If the answer to any of those questions is "yes"—and it will be yes to all three—then you go to the doctor of your choice.

That is our alternative. It is a better alternative. That is why we are going to defeat the President and Senator KENNEDY once again. The American people do not want a Government-run or a Government-controlled health care system, and we can give them an alternative. The alternative is freedom.

Once again, America is at a crossroads. We are going to have to choose. Do we believe the solution to our problems in medicine will be found with more Government interference, with more time in court, with more time working under the control of Government bureaucrats? Or do we believe the solution is to be found in freedom? Well, I am going to bet the future of my family and the future of the 19 million people in Texas, who hired me to represent them in the Senate, on freedom because I know freedom works, and I know something else—I know Government does not work.

Four years ago, the American people didn't want Government to run the health care system, and today they don't want Government to control the health care system. So Republicans and Democrats agree on one thing: There are problems in the health care system. But where we disagree is, we want to empower families with innovations like medical savings accounts, and the President and Senator KENNEDY want to empower the Federal Government. That is the choice. It is a clear choice.

I yield the floor.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. DORGAN. Mr. President, in a few minutes Senator CONRAD from North Dakota will send an amendment to the desk on behalf of himself and myself and some others that will deal with an indemnity program, an amendment that I think he has already described to Members of the Senate. I think this is one of the most important amendments we will vote on on this bill while it is on the Senate floor.

I want to just describe again, as I think my colleague has and I have on other occasions, what causes us to feel the need and the urgency to respond to an agricultural crisis. The agricultural crisis is occurring in a number of States in our country in a way that is causing family farmers to lose their farms, to have the auction sales, to sell out and lose their hopes and dreams. We feel that because of collapsed prices and rampant crop disease, and other things which are not the farmers' fault, that we ought to do something to extend a helping hand and say to them that we want to help them over this tough period.

I would like to show my colleagues a map that describes the problems we have had in North Dakota for family farmers. The red represents counties that have been declared disaster areas every year for 5 straight years. All of these counties have been declared disasters every year for 5 years in a row. That means if you are farming here, or here, any one of these areas, you have been out there farming in an environment and in a climate in which there is, in most cases, a devastating wet cycle with you being prevented from planting because the fields are full of standing water that has not left and has not absorbed, and if you did get a crop in, you have had it devastated by the worst crop disease in this century in North Dakota.

The orange have been declared disaster areas for 4 years out of 5 years, and the yellow, 3 years out of 5 years. The farmers in these areas have confronted a disease called scab. This picture doesn't mean much to a lot of folks. But it is the picture of a field of hard red spring wheat infested with scab disease. It is called fusarium head blight.

But it is a devastating disease that decimates the quality of this crop, so that when and if the farmer gets a crop and hauls it to market, the farmer discovers it is worth very, very little.

The cereal scientist, Bryan Steffeson, said, "I have never faced anything as tough as fusarium head blight. Make no mistake about it. This is the worst plant disease epidemic that the United States has faced with any major crop during this century."

This is very unusual and devastating to the pocketbooks of family farmers.

With respect to wheat, I just described the previous chart; with respect to barley, the same plant scientist says, "North Dakota's barley industry is hanging by a thread, even though it is typically the leader in feed malting barley products."

As a result of crop disease and collapsed market prices, our farmers' incomes in North Dakota dropped 98 percent in 1 year—a devastating drop in income. And I think almost anyone can imagine if, in their neighborhood, or on their block, or among their friends, they had a 98-percent drop in income, they would understand this is very, very difficult to live through. A lot of family farmers aren't able to survive it. The result is they are forced off the farm and forced to sell out.

This was in the New York Times accompanying a story on July 12. "Across the northern tier, farmers' income drops." And it says we have a problem with farm income dropping in Montana, North Dakota, South Dakota, Nebraska, Minnesota, Wisconsin, and elsewhere. The point of that is that this is a pervasive, difficult problem that requires an urgent response.

The Fargo Forum in an editorial yesterday indicates that, "The crisis in farming is for real. The social and economic damage piling up in farm country cannot be minimized. Politicians who believe the revolutionary Freedom to Farm law is working should spend some time in rural America, especially in the upper Midwest."

This is a paper, incidentally, that has editorialized in favor of the Freedom to Farm bill. They say that it needs some adjustments and changes. You can't ignore that.

They say at the end of this editorial, "The least Congress can do now, while in the longer term enlighten lawmakers to revisit and revise the Freedom to Farm, is to try to pass some type of supplemental legislation that would respond to urgent needs for some payments in farm country."

A number of us, led by Senator CONRAD, and joined by myself and others, have worked on a program that would provide the opportunity for some indemnity payments, which is just another way of saying those farmers who have had their income washed away would be given some short-term interim help with the passage of this amendment. The amendment would provide up to \$500 million for the Indemnity Payment Program.

It is supported by President Clinton. We were meeting at the White House yesterday with President Clinton. My colleague, Senator CONRAD, myself, and a number of others from farm country, received a letter from President Clinton that describes in writing what he told us personally yesterday during the meeting—that he supports the amendment we are offering now, and it is part of a three-pronged approach that he himself espouses: No. 1, a supplemental benefit program of the type we have described, an indemnification program; No. 2, compensation for farmers who have flooded lands; and, No. 3, extended authority for emergency livestock needs.

Mr. President, I mentioned earlier—I want to say again—that this is not a political or a partisan issue. Out in the country they don't drive Democratic or Republican trucks. They don't pull Democratic or Republican plows. They are only family farmers trying to make a living in a very difficult set of circumstances. They are some of the hardest working Americans. They get up early, work hard all day, and go to bed late. They risk everything they have. Everything they have is on the line—all of their hopes, all of their dreams—and all of their savings are invested in a crop that might or might not grow. If it is grows, it might or might not yield them an income that allows them to repay the expenses they incurred to put in the crop.

That is the nature of family farming. I think family farmers have always understood that risk and always accepted that risk. But they have always hoped. And they have sometimes been the recipients as a result of that hope that when times are tough, when the bottom falls out, when prices collapse, when they are hit with devastating crop disease, that somehow there would be a basic safety net to try to be helpful to them to allow them to get over those price valleys; some kind of a bridge to allow them to cross that difficult period.

If you are a very, very large corporation, you can cross that price valley. Things get tough, you can tighten your belt, and you can survive. But the thin financial nature of a family farm often cannot cross that price valley. When prices collapse, or disease conspires, then there must be some kind of a bridge, some kind of mechanism of support that says, "Let us step in and help."

That is what the amendment offered by Senator CONRAD, myself, and others will do. It simply says, "Let us step in and provide some help to respond to a growing and urgent farm crisis."

Mr. President, with this, I would yield the floor. I believe we are close to having the amendment in order to send to the desk. When we do, I believe that Senator CONRAD, a couple of others, and I will make brief additional comments. We would hope very much that our colleagues will respond favorably to this.

We think it is thoughtful. It is supported by the President and it is supported by the Secretary of Agriculture. Editorially it is supported by newspapers that support the Freedom to Farm bill, because the editorials, others, and family farmers recognize this need is urgent and the response to it cannot be delayed.

Let me commend my colleague, Senator CONRAD, with whom I am privileged to work. We work on a lot of issues together but none more important than the issue of trying to respond to and to help family farmers survive during times of crisis and times of urgent need. His leadership and efforts on this legislation are significant.

I am pleased to be a part of the effort today to offer this amendment, and I hope for the favorable consideration of our colleagues.

I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 3173

(Purpose: To provide funds for and improve the reserve inventories program)

Mr. CONRAD. I thank my colleague, Senator DORGAN, who has been with us every step of the way in developing this amendment, in offering it to our colleagues and persuading others to support it, and in convincing the White House that this is an emergency matter.

I am very pleased with the outcome of the meeting we had yesterday. I think there is a real sense of urgency not only by the President but by the Secretary of Agriculture and others in the administration who recognize that in many parts of the country we are simply faced with a collapse of income as a result of badly depressed prices, and in addition, a loss of production because of natural disasters that have taken many forms in many places—as I described earlier, monsoon conditions in North Dakota and Minnesota and parts of South Dakota, but, on the other hand, terrible drought in Oklahoma and Texas; and then perversely in the eastern part of the United States, hurricane activity that has had a devastating effect on North Carolina and Virginia. And I was just talking to a Senator from Pennsylvania; they have also been hard hit. So this amendment would move to provide resources to provide assistance to those areas.

Now, some may say, gee, I thought we put crop insurance in place so we didn't have to have this kind of program. And that is precisely right. Unfortunately, what we have discovered is the Crop Insurance Program we put in place does not work when you have multiple years of disaster. And the reason for that is the formula. The formula in crop insurance looks at your last 5 years of production. If you have had 3 to 5 years of disasters, whether it is drought, whether it is overly wet conditions, whether it is a terrible disease outbreak as we faced in North Dakota, or hurricanes as they have faced

in the East, your base for crop insurance is so badly depressed it does not provide the risk management tool that all of us intended.

I was just talking to the Senator from Idaho, who is one of the most knowledgeable members of the Agriculture Committee with respect to this matter, and he was saying what we see is that when the base goes down, crop insurance cannot provide the coverage we all intended.

We are not going to get crop insurance reform this year, as much as many of us would like to do; that simply takes a longer effort. And so, Mr. President, until crop insurance gets fixed, something has to be there to allow farmers to survive. If we do not, we are going to have a calamity of staggering proportions.

USDA tells us in North Dakota that we are going to face potentially the loss of 30 percent of our farmers in 2 years—30 percent. That is a disaster by any description.

So what we have tried to do is work in a way that is not subject to a budget point of order, that does provide assistance to these farmers all across the country.

We have now received a letter from the Executive Office of the President, the Office of Management and Budget, which indicates that this amendment would not be subject to a point of order, that this would qualify for an emergency designation, and the President supports an emergency designation for this legislation. We will submit that for the RECORD when we have a chance to actually submit the language. It is being typed now.

We have it. The final provision is here. We will send that to the desk. We need to get copies distributed to our colleagues.

The Budget Committee of the Senate has informed us this would not be subject to a budget point of order.

I ask unanimous consent that there be printed in the RECORD the letter from the Office of Management and Budget, the Executive Office of the President, indicating that they, too, agree that this qualifies for an emergency designation and would not be subject to a budget point of order.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, July 16, 1998.

Hon. KENT CONRAD,
U.S. Senate,
Washington, DC.

DEAR SENATOR CONRAD: This responds to your request for the views of the Office of Management and Budget (OMB) on whether your proposed amendment relating to farm payments under 7 U.S.C. 1427a qualifies for the emergency adjustment under the Budget Enforcement Act (BEA).

Section 251(b)(2)(A) of the BEA provides that an adjustment in the discretionary spending limits shall be made for appropriations designated as an emergency by Congress and the President. That section also

states that the designation is not available for "appropriations to cover agricultural crop disaster assistance."

We have examined your proposed amendment, and we are of the view that it qualifies as emergency relief under Section 251(b)(2)(A) and is not an appropriation to cover agricultural crop disaster assistance. Your amendment would provide funding for the reserve program established under 7 U.S.C. 1427a. That program is designed to establish a reserve of certain crops through the price support program. The purpose of purchasing the commodities is to hold a reserve that then may be disposed of to relieve distress at a later time. The purpose of the program is to establish a reserve of crops for future use, not to make assistance available to the producers from whom the crops are purchased. Thus, it is OMB's view that the funding does not provide "crop disaster assistance" within the meaning of Section 251(b)(2)(A), and the adjustment provided by that section for emergencies may thus be applied to the funding in your amendment.

Sincerely,

ROBERT G. DAMUS,
General Counsel.

Mr. CONRAD. Mr. President, we are ready for any additional debate, and we are ready to move, after people have had a chance to speak, to a vote at a time that the chairman of the committee thinks is appropriate.

Mr. COCHRAN. Mr. President, I think we are at a point now where we can ask the question, What is the will of the Senate? Because that is the question. We have an amendment here that proposes a new program of spending based on an emergency of about one-half billion dollars. I think that is the number. Five-hundred million is the total projected cost of the bill, but it is based on an emergency that is declared in this legislation to exist in agriculture. We understand the President has agreed that there is an emergency, not specifically that this amendment describes that emergency, but that a response should be made by the Government to deal with this problem.

Now, I know that there are Senators who are wondering, well, what are the criteria? How are farmers going to be declared eligible to participate in payments under this program? There are questions that are very legitimate and, frankly, this legislation does not tell us much about that. It is leaving a lot of discretion in the hands of the Secretary of Agriculture. That is very clear. And this amendment could be subject to the criticism that it is too much, there is too much discretion. I am confident the department would have to issue regulations and describe some program payment benefit scheme that farmers would have to be governed by in terms of applications and eligibility.

So there are some legitimate questions that can be asked. I am willing to listen to the advice of other Senators and be governed by the will of the Senate on this issue. I do not want to reject this out of hand and say that it is not a good amendment. I think it is based on a legitimate interest in helping deal with very real problems that exist in certain parts of the country,

primarily in North Dakota, South Dakota, Minnesota, where half the payments are projected to occur under the amendment, but there are other States as well. We know that Texas, Oklahoma, and Colorado would be eligible. We know that southern-tier States, parts of States in the Southeast, North Carolina, in addition to South Carolina; there are some parts of my State, I am told, that would benefit from the legislation.

So it is time now in the consideration of this amendment for Senators to take a look at the proposal and come to some consensus on what to do about this. We can accept the amendment on a voice vote, the managers could accept the amendment, if that is the will of the Senate, or if some Senators want to have a record vote on the amendment, we could do that. I had been told earlier that this amendment would probably be subject to a budget point of order in that it would violate the Budget Act. But because of changes the drafters, the authors of the amendment have made within the language, I am advised that the Budget Committee staff director has told us there is no violation of the Budget Act. That could be confirmed by a statement from the chairman of the Budget Committee, and I would like for him to tell us that formally before we make a decision on whether a point of order would be made on the basis of the Budget Act.

Those are my reactions to the proposal, and I will await other Senators coming to the floor to let us have some suggestions and guidance about how to proceed at this point.

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from Mississippi, the chairman of the Agriculture Appropriations Subcommittee, for the gracious way he has allowed us to work through this. He has been very patient, and we thank him very much for his patience. We also thank him very much for his open-mindedness. I think he does recognize there are real problems around the country. Unfortunately, we do not have the perfect tools to deal with them. The Senator from Mississippi raises questions that are absolutely legitimate questions: What kind of system would be used to use these funds?

This is not a new program in the sense that this is replenishing a program and an authority that the Secretary has had. This is a program that the Secretary has utilized. And those funds are now depleted.

The way it was done in the past was to use actual commodities, but one thing we have learned is, it is really much more efficient to use money in that fund rather than commodities, because when we use commodities, we find that about 25 percent of what is used is used up in distribution costs, in handling charges, and the rest. So USDA, in examining this, has said it would be much more taxpayer friendly, really, to have money in this fund that

is now depleted rather than to have commodities.

We are using the same model we used for the Livestock Indemnity Program last year; that is, to give the Secretary broad discretion, because when you sit down and try to write the specifics here on the floor with this relatively short period of time, we have discovered there are a series of problems. One of them is, we would probably become subject to a budget point of order. So we find doing it this way, with the general authority of the Secretary that he already has, which is recognized, but we restore the fund, we replenish the fund that has been depleted so the Secretary has the ability to respond to these various circumstances around the country.

It is not one set of events that is affecting us. We have one set of events in North Dakota and Minnesota and South Dakota, and the Senator is exactly right, we would get a significant portion of this. But other parts of the country as well—in Texas and Oklahoma it is a drought; in North Carolina, where they have been so badly hit, and Virginia, it is hurricanes. In Pennsylvania, the Senator from Pennsylvania tells us, it is a combination of factors. In Idaho, it is much the same thing that has been happening in these northern-tier States; they have, in many cases, overly wet conditions.

But combining it all, we have a natural disaster and we have price collapse. What is happening is, we are left with dramatically reduced farm income that is forcing people off the land. The question is, Do we act? Do we do something? Do we provide the tools to respond? I think the will of the Senate will be, as it has been in the past: Yes, we should respond. We have a chance to do that.

I also will indicate, in the amendment I sent to the desk, the original cosponsors are Senator DORGAN and Senator CLELAND. I welcome other Senators. I am very hopeful this is a bipartisan enterprise. I have been talking to Republican Senators over the last several weeks about this matter, and I very much hope they join in and we make this a fully bipartisan effort. They certainly have contributed thoughts to what we could do here.

So I hope, before we reach conclusion here, we have a healthy number of Senators on both sides of the aisle who cosponsor this legislation, that we join together and say, "Yes, there are problems out there. Let's address them. Let's provide some assistance."

This does not mean we are voting on overturning agricultural policy. We have differences there. We recognize those differences. This is one case where we are rising above those differences to march together and try to help those who clearly are in need.

I yield the floor.

THE PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself, Mr. DORGAN and Mr. CLELAND, proposes an amendment numbered 3173.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 29, after line 21, add the following:

RESERVE INVENTORIES

For the reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a), \$500,000,000: *Provided*, That the entire amount shall be available only to the extent that the President submits to Congress an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.): *Provided further*, That the entire amount of funds necessary to carry out this paragraph is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

On page 67, after line 23, add the following:

SEC. 7. RESERVE INVENTORIES.

Section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) is amended—

(1) in the first sentence of subsection (a), by inserting "of agricultural producers" after "distress";

(2) in subsection (c), by inserting "the Secretary or" after "President or"; and

(3) in subsection (h)—

(A) by striking "(h) There is hereby" and inserting the following:

"(h) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are"; and

(B) by adding at the end the following:

"(2) USE OF FUNDS FOR CASH PAYMENTS.—

The Secretary may use funds made available under this section to make, in a manner consistent with this section, cash payments that don't go for crop disasters, but for income loss to carry out the purposes of this section."

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, Let me make two points that I think Senator CONRAD and I and others would want to make. One responds a bit to some comments made earlier.

The potential benefits of this amendment would be available to people in a range of areas of the country who have suffered, in one form or another, substantial income loss and are going through an agricultural crisis. That includes Texas, South Carolina—a whole range of areas of the country. But I want to make it clear, this is not simply an amendment that would target one or two or three States. Farmers in many other parts of the country who face similar circumstances and a similar crisis would be eligible.

Second, and I think most important, while there has been a lot of discussion on the floor of the Senate about agricultural policy, I think it is important to make clear, this amendment is not a substitute for or a denial of the interest many of us have in some of the arguments that have been offered and proposed in recent days by others on the floor about the increased need for

additional effort in trade. Some of our colleagues have stood on the floor and talked about the need for moving American grain overseas, for additional efforts in trade, additional use of the Export Enhancement Program, and other things. I support all of that.

I think we ought to be more aggressive with respect to Food for Peace. I have mentioned that there are people starving around the world: A million people to a million and a quarter people face starvation in Sudan today. We can and should, in my judgment, with the quantity of grain we have, substantially increase shipments under title II and title III of Food for Peace.

We can and should be more aggressive with the use of the Export Enhancement Program. We can and should be more aggressive with a range of other programs. The Secretary of Agriculture, I would say, has been very aggressive with the GSM program and others. But I would like our country to meet competition anywhere around the Earth. If the European Union wishes to deeply subsidize its grain and attempt to take markets away from this country, we ought to go to those markets and meet them and compete and win that competition. If that requires export subsidies to meet what the Europeans are doing, then so be it; that is precisely what we should do.

So, those who insist on a much more aggressive approach in international trade will find no quarrel with me. I believe we should have a more aggressive posture with respect to trade issues. That is one, but only one, of the issues we need to address.

Another of the issues we need to address is the issue of emergency response in times of crisis to farmers, particularly in some areas of the country that have seen almost a total collapse of their income. That is the purpose of the amendment we have sent to the desk.

I, too, listened carefully to the Senator from Mississippi. I think he is an awfully good legislator. He is certainly fair. I hope we can achieve some bipartisan support here in this Chamber on this kind of legislation. I don't think there is any pride of authorship here either. My expectation is that in the coming period we will be able to discuss some of the specifics of this legislation and perhaps reach a conclusion on it.

With that, I know my colleague from Montana is here, although he apparently is not going to speak at this point. Let me yield the floor to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, last night, after we had our last recorded vote, there were two amendments which we discussed and recommended to the Senate that we accept and they were accepted, one of which was offered by the Senators from Florida. Senator GRAHAM offered an amendment, it was cosponsored by Senator MACK, and it

dealt with disaster problems that exist in Florida because of the recent wildfires that we are all familiar with because we saw these vividly photographed on television. For days and days, fires raged throughout the State of Florida. As a result of that, the Senators are asking that emergency funds be made available to compensate victims of that disaster who were involved in agriculture. I invite the attention of the Senators to the record of the discussion of that issue last night.

The proposal was to make available funds from the account that has been described by the Senators from North Dakota. There is no indication right now, from the Department of Agriculture, whether or not the disaster fund that is discretionary with the Secretary has been depleted to the extent that replenishment is necessary in order to compensate the victims in Florida. What I said during the discussion of the amendment involved an assurance that we would receive from the Department of Agriculture and the President a supplemental request for funds to replenish that discretionary disaster fund of the Secretary's, so that appropriate disaster relief could be made available to agriculture producers and others who are eligible for those funds. That satisfied the Senators from Florida, and, on that basis, the amendment was accepted by the Senate.

I am prepared to make the same suggestion to the Senate on this amendment. There is no question that there are differences, however—one of which is that farm producers would have to show that, out of 3 of the last 5 years, there had been declarations declaring disasters, either by the Secretary of Agriculture or the President, in the areas where eligibility would be considered to have been established.

At least that is what I understand the amendment provides.

The point is this: The year is not over. This fiscal year that we are appropriating money for right now begins on October 1. We don't know what the full needs for agriculture producers around the country will be by the time we get to the beginning of the fiscal year.

I am suggesting that it may be appropriate to take this proposal to conference with the House and await the receipt from the President or the Secretary of Agriculture of specific requests for supplemental funds beyond that requested in the budget that has already been submitted by the administration for next year that they foresee will be needed to replenish the Disaster Assistance Discretionary Fund of the Secretary to compensate disaster victims for their losses.

There are other programs available to provide benefits, Senators realize. There are crop insurance programs, there are other assistance programs that are authorized in the 1996 farm bill.

As I understand it, this does not create a new disaster assistance program,

and because it doesn't, it is not subject to a budget point of order.

I am mentioning that idea that I have as an alternative way of considering this and would like to have the benefit of other Senators' thoughts on it, particularly those who chair the legislative committees on the budget and on agriculture legislation. It may be we can work out some way to take this amendment to conference. If that is not possible, then the question will be whether we move to table the amendment and bring this issue up later as a freestanding bill—that is a possibility. This legislative session doesn't end with the passage of this agriculture appropriations bill. There may be other opportunities to assess the disaster situation around the country.

I thought since the similarity between the amendment offered by the Senator from Florida last night which was accepted by the Senator, and the presentation of the amendment which we have heard now from the Senators from North Dakota were so similar, that it presented us with the same alternative that we exercised last night.

Let me read what I said on the floor of the Senate last night:

...the Department of Agriculture advises us that they cannot at this time verify whether available disaster money has been depleted. I understand this has been a devastating disaster for Florida and that other areas of the country have also been affected by various disasters. We will work with the administration and the House conferees to address the needs of the areas affected by these recent disasters and to determine whether these needs are being met through available funds.

It is my hope that the Department of Agriculture and the Office of Management and Budget are assessing the need for additional funding to meet the needs resulting from these most recent disasters and that the President will soon submit to the Congress requests for supplemental funds which are determined to be required.

I am prepared to suggest to the Senate that on that basis, we take this amendment to conference, but I will not make that suggestion without further discussing my idea with the appropriate legislative committee chairmen.

Mr. DORGAN addressed the Chair.

THE PRESIDING OFFICER (Mr. ROBERTS). The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I listened carefully to the Senator from Mississippi. I understand he wants to hear from other Senators. It seems to me that one of the suggestions he made makes a lot of sense. Having the opportunity to go to conference with a provision similar to this in the piece of legislation that comes from the Senate will put us in the position of sending a message to those areas that have been hardest hit, a number of areas of the country ranging from the Southeast, to the South, to the North, that we understand this is, in fact, a crisis; that we are responding as we did in the sense-of-the-Senate resolution passed earlier this week without a dissenting vote,

that the ag crisis is something that we are willing to address.

I accept the point made by Senator COCHRAN that there may well, in the coming days or weeks, be a need to change the response. Perhaps the response will need to be more aggressive. Perhaps the response may need to be characterized differently. But it seems to me appropriate to go to conference with a provision of this type in the legislation, because it is, I think, telling the family farmers in this land that this Senate does care, does want to respond, and understands that there is a crisis in certain parts of the country.

Again, I certainly respect the interest of the Senator from Mississippi wanting to gauge the reaction of a number of Senators on this subject, but I hope when the day is out and this amendment is disposed of that it will be disposed of in a way—I guess "disposed" of is the wrong word—I hope that it is resolved in a way that reaches one of the suggestions perhaps offered by the Senator from Mississippi that we can include it in this legislation.

I must say that I have watched the Senator from Mississippi for some days on the floor. I have always felt he has the patience of Job. He is one of the most gracious and considerate Members of the Senate. I know this is a trying time. I am on the Appropriations Committee with Senator COCHRAN, and I am also someone who will sit here as a ranking member on one of the subcommittees. I know it is a trying time to bring a bill to the floor of the Senate and discover that a lot of folks want to address this bill with peculiar amendments on a range of issues.

I know he understands, because of the vote earlier in the week, that we face very unusual and, in fact, very difficult times in some parts of the country. The crisis we have in our State is unparalleled. I can't think of a time when we have suffered a 98-percent loss in net farm income. It has been devastating. The Senator from Mississippi understands that is what has occasioned amendments to be offered to this bill.

I must say, again, he has enormous patience. Even in exhibiting that patience, he has a graciousness and dignity that all of us appreciate. I yield the floor.

Mr. BAUCUS addressed the Chair.

THE PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. I thank the Chair.

(The remarks of Mr. BAUCUS pertaining to the introduction of the bill are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, in further discussions with the Senators from North Dakota and others, I am prepared to recommend that we accept the amendment offered by the Senators from North Dakota and take the issue to conference under the same understanding that I read into the RECORD last night when I accepted, and the Senate agreed to, the amendment offered by the Senators from Florida, Mr. GRAHAM, and Mr. MACK, who was a cosponsor of that amendment.

The statement is as follows:

The Department of Agriculture advises us that they cannot at this time verify whether available disaster money has been depleted. I understand this has been a devastating disaster for Florida and that other areas of the country have also been affected by various disasters. We will work with the administration and the House conferees to address the needs of the areas affected by these recent disasters and to determine whether these needs are being met through available funds. It is my hope that the Department of Agriculture and the Office of Management and Budget are assessing the need for additional funding to meet the needs resulting from these most recent disasters, and that the President will soon submit to the Congress requests for supplemental funds, which are determined to be required.

It is also my understanding that the proposal in this amendment is a new program. I had suggested that it was a description of an existing discretionary program of the Department of Agriculture, and that I had misread or misunderstood the proposal offered by the Senators.

Nonetheless, I am prepared, under the same understanding, to recommend to the Senate that we accept this amendment. It has been, in this amendment, described as an emergency, which would require an emergency finding not only by Congress, but by the President, in order to avoid having an offset of the funds that are contemplated to be spent under the amendment. But because it does have the emergency declaration, it does not require an offset, and I am advised by the chairman of the Budget Committee that it is not subject to a budget point of order. On that basis, I recommend that the Senate approve it. I understand from my good friend from Arkansas that he has no objection to this recommendation.

THE PRESIDING OFFICER. Is there further debate on the amendment?

Mr. CONRAD. Mr. President, I ask unanimous consent that a letter I have sent to the desk be printed in the RECORD. It is from farm organizations endorsing this amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 16, 1998.

Hon. KENT CONRAD,
U.S. Senate, Washington, DC.

DEAR SENATOR CONRAD: On behalf of the farmers and ranchers of our organizations, we strongly support your amendment to the agriculture appropriations bill which would

provide supplemental assistance to those producers who have suffered multiple years of crop losses.

Your amendment is tailored to provide urgently needed assistance to those farmers who have purchased crop insurance, but are unable to obtain adequate coverage, due to multiple years of disaster.

The amendment would help over 45,000 producers. While there are regions in every state that would be eligible, it is especially important for Oklahoma, Texas, North Carolina, Virginia, Mississippi, western Pennsylvania, Idaho and the Upper Plains states.

The supplemental assistance will not only help the individual producers, but will also provide a critical boost to the rural communities in which they reside, which are suffering from the severe losses.

Our organizations share a strong commitment to strengthening the crop insurance program to allow producers to stay in business, even in times of disaster. This amendment will go a long way toward improving coverage for those producers who have purchased crop insurance.

Sincerely,

AMERICAN SOYBEAN
ASSOCIATION.
NATIONAL FARMERS
ORGANIZATION.
NATIONAL FARMERS UNION.
NATIONAL SUNFLOWER
ASSOCIATION.
NORTH DAKOTA GRAIN
GROWERS ASSOCIATION.
UNITED STATES CANOLA
ASSOCIATION.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3173) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. Mr. President, would the Senator from Idaho like to be included as an original cosponsor?

Mr. CRAIG. Yes.

Mr. CONRAD. Mr. President, I ask unanimous consent that the Senator from Idaho, Mr. CRAIG, be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I thank the chairman of the committee for his help with this amendment, and the many others who participated in these deliberations. I especially thank my colleague, Senator DORGAN, and the Senator from Idaho, Senator CRAIG, who helped us with this amendment.

I think we are moving in the right direction. Obviously, we will have additional opportunities to fashion a final package, as we all understand this will have to go to conference. Again, I thank, very much, the chairman and ranking member and all those who helped.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, let me thank my colleagues from North Dakota for the sincere effort they have made and the willingness of the chair-

man of the Agriculture Appropriations Subcommittee to review this and help them shape it and accept it.

Certainly, as we get to conference, there is going to be every effort made by this Senator and others to provide what can be provided, and to resolve, as best we can, this impending farm crisis. We clearly understand the problem, the growing problem, and we know that certain actions here can be very, very helpful. I am pleased to be a participant in this, to be supportive of it. I am sure we will be looking at other packages that we will want to bring together in a total effort to help agriculture during this time.

Let me say in my closing comments that our actions here on the floor have consequences. Every Senator who is on the floor now joined with us were active participants last Thursday when the Senate of the United States voted 98-0 to drop the sanctions against Pakistan and India. The Presiding Officer at this moment, the Senator from Kansas, led that dramatic effort to show that this country would stand united and not use food as a tool of foreign policy.

Just moments ago the Senator from Kansas and I had calls from the Ambassador of Pakistan. They have tendered an offer now of over a 100-million-ton purchase from the United States. It is my understanding that they will make an effort at a nearly 300,000-tons purchase within the next several months. That is significant, and those tonnages will be purchased from the United States.

Our actions here have consequences. If we want to be players in the world market, with and for our producers, we cannot throw up the artificial barrier of politics. We tore that down last Thursday in this instance, and the nations involved are responding.

I thank my colleagues.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, there are a number of issues we find strong agreement on today on the agricultural matters. And the matter that was just spoken about by the Senator from Idaho regarding sanctions is one in which I have very strong agreement with him, and also with the Presiding Officer, Senator ROBERTS of Kansas. All of us agree that it doesn't make any sense at all to use food as a tool of foreign policy and to tell farmers to pay the costs of sanctions, and so on. So I am very pleased that we were able, on a bipartisan basis, to work together to resolve that issue. I think we have done that in an effective way.

I am also pleased that the amendment which we have just offered and was accepted and cosponsored by the Senator from Idaho. We have worked with the Senator from Idaho and others, including the Senator from Kansas, Senator ROBERTS, in discussions on a wide range of income issues dealing with family farmers. The reason I

sought recognition is just to make one final point; that is, this amendment now becomes part of the agricultural appropriations bill. It then goes from the Senate to a conference with House of Representatives. That is likely, between now and sometime in September, as this agricultural crisis continues to emerge, to occur in a way that may require some changes and some adjustments. We all understand that.

But I think this is an enormously important and a helpful first step to say to family farmers who are struggling that we recognize that this is, indeed, a crisis and we want to respond to that crisis.

I thank the Senator from Mississippi for his leadership, and the Senator from Arkansas for his leadership as well, and I thank my colleague, Senator CONRAD, who is as determined and effective and tough a legislator as there is to work with. I am pleased to have joined him in working on this amendment as well.

I think this is an important step, and it will be viewed as good news—not necessarily the final answer, but good news by family farmers, that on a bipartisan basis the Congress recognizes a crisis and is prepared to respond effectively to it.

I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota, Mr. CONRAD.

Mr. CONRAD. Mr. President, I ask unanimous consent that Senator DASCHLE, Senator HARKIN, Senator BAUCUS, Senator HOLLINGS, and Senator WELLSTONE all be added as original cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I also thank my colleague who is in the Chair, Senator ROBERTS, for his good advice to us as we proceeded with this effort. I want to tell him that we look forward to working with him as we try to craft a bipartisan, long-term solution to the problems that we face. I thank the Chair and yield the floor.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senator from Montana, Mr. BURNS, be added as a cosponsor to the Conrad amendment that was previously offered and agreed to by the Senate.

The PRESIDING OFFICER. (Mr. SMITH of Oregon). Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, we are now moving toward the point where we are wrapping up the consideration of amendments on the agriculture appropriations bill. A number of Senators have advised the managers that they do not intend to offer amendments that they had originally proposed to the bill. We are encouraged by that, and with some effort I think the Senate can complete action on this bill very soon. We are awaiting the arrival in the Chamber of Senators who have suggested that they will offer amendments. We encourage them to come to

the floor, offer those amendments, and let's debate them. If we can agree to them, we will recommend that to the Senate. We appreciate very much the cooperation and assistance of all Senators who have been helpful to us in this effort.

1998 LOUISIANA DROUGHT AND CROP DISASTER

Mr. BREAUX. Mr. President, I call to the Senate's attention the serious and significant drought which has occurred in Louisiana this year. The combination of a prolonged lack of rainfall and persistent high temperatures have resulted in a natural disaster of historic proportions. For those affected, damages have been hard-hitting.

As we debate the 1999 agricultural appropriations bill and amendments to it which respond to severe agricultural distress throughout the nation this year, caused by weather-related damages and low commodity prices, I urge my colleagues to keep in mind the situation in Louisiana.

On June 18 of this year, Governor M.J. "Mike" Foster and Commissioner of Agriculture and Forestry Bob Odom wrote to Agriculture Secretary Dan Glickman about the drought in Louisiana.

Though adequate production records were not yet available at the time of their letter, Governor Foster and Commissioner Odom told Secretary Glickman substantial losses were expected in the state and that they expected to be requesting a disaster declaration as soon as adequate production information could be obtained.

Various row crops and pine and hardwood seedlings have been affected in Louisiana by the drought, they said. Cattle have been affected because of severe hay and pasture shortages. Poultry losses also have occurred due to the high temperatures.

Illustrative of the drought's historic character, they pointed out that records have been set for the least amount of rainfall received in the month of May, with rainfall records going back more than 100 years.

Though Congressionally-authorized programs are in place at USDA to respond to disasters, I urge the Senate to be prepared to respond further and promptly as conditions and impacts would worsen.

Mr. President, we know that production disruptions brought about by the drought will cause economic disruptions for producers. In addition, the communities in which our producers live also will be affected. It is for these reasons that I urge close attention to crop disasters and low prices and a readiness to act as warranted.

Ms. MOSELEY-BRAUN. Mr. President, earlier today I voted for Senator GRASSLEY's Sense of the Senate amendment that urges prompt action on a number of trade, tax, and regulatory issues in order to help the American farm community. I think our farmers are experiencing serious problems, and I believe that prompt action on many of the initiatives contained in the

Grassley amendment will help expand U.S. agricultural export markets and improve farm profits.

The amendment Senator GRASSLEY put before the Senate recommended that the Senate act on S. 2078, the Farm Ranch Risk Management Act, which I have cosponsored. It urges action to provide full funding for the International Monetary Fund; I believe action to increase the capital of the IMF is essential to address the economic crisis in Asia and the current situation in Russia, both of which have enormous impacts on U.S. agriculture. It urges Congressional approval legislation to continue normal trading relations with China, which I also support. It calls for estate tax reform, reduced regulations on farmers, and use of the Commodity Credit Corporation and Export Enhancement Program at the Department of Agriculture, all of which are worthy of prompt attention by the Senate.

Notwithstanding my support for the general objective of Senator GRASSLEY's amendment, however, I do have one major reservation concerning his amendment, and that has to do with fast-track trade negotiating authority.

Senator GRASSLEY's amendment urges providing the President with new fast-track negotiating authority. I oppose giving the President that authority at this time, for both practical and philosophical reasons. As a practical matter, fast-track, and any agreements it might ultimately lead to, will only provide benefits to American agriculture in the distant future, not in the near term. In fact, the only possible trade agreement on the horizon is with Chile, and that agreement, even if it were put into place tomorrow, would be unlikely to have any significant impact on the economic health of American agriculture.

Moreover, granting the President fast-track authority is not currently warranted because of the total lack of consensus on American trade policy for the future. Large parts of the rest of the world cannot discern any consistent set of underlying principles governing U.S. trade policy decisions. Congress and the Administration have not come to an agreement on a trade policy framework, and in the absence of that framework, decisions are all too often made on an ad hoc basis.

Granting the President fast-track authority requires the Congress to delegate much of the trade authority given the legislative branch by our Constitution to the President. It is no less a delegation of Congressional authority than the line-item veto. Fast track is therefore an issue of the utmost importance institutionally and Constitutionally to the Congress. In the absence of real consensus on trade policy within both the executive branch and the Congress, I cannot and do not support this kind of diminution of Congressional authority over trade.

My support for the general objectives of the Grassley amendment does not

represent any change in my view of the fast-track issue. In the absence of a consensus on a new trade policy architecture that includes not only the Congress and the President, but also American agriculture, labor, the business community, and the American people generally, I oppose providing the President with new fast-track negotiating authority.

Mrs. BOXER. Mr. President, I voted for the Grassley sense of the Senate amendment to the Agriculture Appropriations bill because I support nine of its ten provisions.

I do not support the provision stating that we should enact the bill S. 1269, which reauthorizes fast-track trading authority for the President.

It is premature and disruptive to endorse fast-track legislation now, before resolving questions about its effect on jobs and the environment. These are very controversial and complicated problems, and so far we have not figured out how to deal with them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed as if in morning business for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TEAMSTERS UNION ELECTIONS

Mr. GREGG. Mr. President, I want to bring to the attention of the body an issue which is percolating under the surface as we move toward the end of this week; that is, the question of the financing of the Teamsters Union elections which were financed by tax dollars, and which elections may be held again for which there has been a request to finance them again with tax dollars.

The last time we went down this road, the Teamsters Union ran an election which was overseen by the U.S. attorney in New York with the assistance of the Justice Department. And the U.S. Marshals I believe were also involved in it. The taxpayers of this country spent \$17 million to oversee this election. The election was then reviewed. It was determined that the election had been fraudulently run, that it had corruptly proceeded, and that it was basically an election which had to be voided by the Federal judge who was overseeing the election.

So for the \$17 million of tax money which we invested in order to get a fair and honest election in the Teamsters